



**UNIVERSITY OF WASHINGTON**  
Office of Public Records and Open Public Meetings  
4311 11th Ave NE Suite 360, Seattle, WA 98105

**Prepared for release:** March 26, 2019

Public Records News Media

Re: Public Records Request PR-2019-00035 (COMPLETE)

Dear News Media:

This letter is provided in response to your public records request for all records responsive to PR-2018-00056 including information regarding the search, withholding, and production of responsive documents.

Upon review, the Office of Public Records and Open Public Meetings has found certain items partially *and/or* wholly exempt from inspection and copying and has made the appropriate **redactions and/or exemptions** per the following Public Records Act provision(s):

**FERPA STUDENT PRIVACY**

The University finds the student records responsive to your request exempt from inspection and copying. In so doing, the University cites the Federal Family Educational Rights and Privacy Act (FERPA). In prohibiting schools and institutions of higher education from releasing educational records without the consent of the student, the federal statute defines educational records as follows: "those records, files, documents, and other material which - (i) contain information directly relating to a student, (ii) are maintained by an educational agency or institution or by a person acting for such agency or institution." 20 U.S.C. 1232g(a)(4)(A); 34 CFR Part 99.

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**HIPAA HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT**

The University finds the protected health information responsive to your request exempt from inspection and copying. In so doing, the University cites the Health Insurance Portability & Accountability Act of 1996. Authorization is required for the use or disclosure of Protected Health Information. 45 CFR Part 160 & 164.

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**RCW 42.56.050 INVASION OF PRIVACY**

A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated if disclosure of information about the person: (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

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**RCW 42.56.070(1) OTHER STATUTE**

Each agency, in accordance with published rules, shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of RCW 42.56.070(9), this chapter, or other statute which exempts or prohibits disclosure of specific information or records.

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**RCW 42.56.210 CERTAIN PERSONAL AND OTHER RECORDS**

(1) Except for information described in RCW 42.56.230(3)(a) and confidential income data exempted from public inspection pursuant to RCW 84.40.020, the exemptions of this chapter are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital government interests, can be deleted from the specific records sought. No exemption may be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.



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**RCW 42.56.230(1) PERSONAL INFORMATION (STUDENTS, PATIENTS, CLIENTS)**

The following personal information is exempt from public inspection and copying under this chapter: (1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients.

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**RCW 42.56.230(3)\* EMPLOYEE PRIVACY**

The following personal information is exempt from public inspection and copying under this chapter: (3) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

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**RCW 42.56.230(3)\*\*\* EVALUATIONS**

Under the Public Disclosure Laws of Washington State, the evaluations responsive to this request are exempt from third party review in accordance with RCW 42.56.050 and RCW 42.56.230(3) as well as per the guidelines set by the court in Dawson v Daly, 120 Wn. 2d 782 (1993).

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**RCW 42.56.230(4) TAXPAYER INFORMATION**

The following personal information is exempt from public inspection and copying under this chapter: (4) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would: (a) Be prohibited to such persons by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance authorized under RCW 35.102.145; or (b) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer.

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**RCW 42.56.230(5) CREDIT CARD AND BANKING INFORMATION**

The following personal information is exempt from public inspection and copying under this chapter: (5) Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information as defined in RCW 9.35.005 including social security numbers, except when disclosure is expressly required by or governed by other law.

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**RCW 42.56.250(1) TEST QUESTIONS**

Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination are exempt from public inspection and copying.

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**RCW 42.56.250(2) EMPLOYMENT APPLICATIONS**

The following employment and licensing information is exempt from public inspection and copying under this chapter: (2) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

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**RCW 42.56.250(4) EMPLOYEE INFORMATION**

The following information held by any public agency in personnel records, public employment related records, volunteer rosters, or included in any mailing list of employees or volunteers of any public agency is exempt from public inspection and copying: Residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, driver's license numbers, identicard numbers, and emergency contact information of employees or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a public agency.

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**RCW 5.60.060(2)(a) ATTORNEY/CLIENT PRIVILEGE**

The University finds some documents or portions of documents exempt pursuant to the attorney-client privilege, RCW 5.60.060(2)(a) and the Supreme Court decision in Hangartner v. Seattle, 151 Wn.2d 439 (2004).



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RCW 70.02.020(1) MEDICAL RECORDS

Except as authorized in RCW 70.02.050, a health care provider, an individual who assists a healthcare provider in the delivery of health care, or an agent and employee of a health care provider may not disclose health care information about a patient to any other person without the patient's written authorization.

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An inventory of wholly exempt items is enclosed for your convenience as per RCW 42.56.210(3).

The records partially responsive to your request are enclosed as provided by the Public Records Act of Washington State. This concludes the University's response to your public records request. Please contact our office if you have any questions or concerns.

Sincerely,

Perry Tapper  
Compliance Officer

Encl.